IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA MARTIN W. JONES, CIVILACTION

Plaintiff

No. 19-4678

FRANK NAJERA,

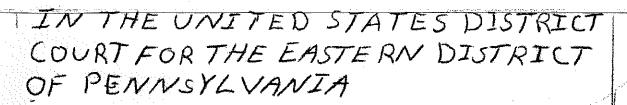
MOTTON TO AMERCA And Joshva MALLERY, NoTice of Appeal on Defendants | July 12, 2023

MOTION TO AMEND, NOTICE of APPEAL on July 12, 2023.

Plaintiff is asking the Federal Courts permission to Amend his NOTICE OF Appeal, from 7-12-2023, that his attorney filed. The final thing she could do for Plaintiff, She chose the wrong Order, The Order entered on 11-12-2023 (ECFNO.43), Is not Appealable Plaintiff was granted leave to file a Amended complaint, which hedid That whole Order was DISMISSED with prejudice. Exept for Plaintiff to Amend confloint, and which hedid,

Dated: October 3,2023 Attached carrected Notice of Appeul

Marting Jones NN4778 Sci-Phoenix 1300 Mokychic Dr. collegeville, PA. 19426



MARTIN W. JONES, Plaintiff, FRANK NAJERA, and JOSHUA MALLERY, Defendants

CIVIL ACTION NO. 19-4678

NOTICE OF APPEAL

Motice is hereby given that Plaintiff
Martin W. Jones appeals to the United States
Court of Appeals for the Third Circuit (1)
the Order entered on August 16, 2022
(ECF 73) granting Mallery's Motion for Summary
Judgment. (attached here to as Exhibit A):
and (2) the Order and Judgment entered on
June 29, 2023 (ECF NO. 143) entering judgment
for Defendant and Closing the case (attached Exibit 8).
Dated: October 3, 2023
Respect Sully Submitted
Martin W. Jones MN4718
Sci-Phoenix
1200 mokychic Dr.
Collegeville, PA. 19426

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARTIN JONES,

Plaintiff,

v.

CIVIL ACTION . NO. 19-4678

FRANK NAJERA and JOSHUA MALLERY,

Defendants.

ORDER

AND NOW, this 16th day of August 2022, upon consideration of Defendant Frank Najera's Motion for Summary Judgment (ECF 71), Defendant Joshua Mallery's Motion for Summary Judgment (ECF 73, 74) Plaintiff Martin Jones' Statement of Disputed Factual Issues and Declaration in Opposition to Defendant's Motion (ECF 89), and Plaintiff's Motion for Damages (ECF 81) it is hereby **ORDERED** that:

- 1. Najera's Motion for Summary Judgment (ECF 71) is **DENIED**.
- 2. Mallery's Motion for Summary Judgment (ECF 73) is GRANTED.
- 3. Jones' Motion (ECF 81) is **DENIED** without **prejudice** as premature.

BY THE COURT:

<u>/s/ Gerald J. Pappert</u> GERALD J. PAPPERT, J.

EXHIBIT B

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IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARTIN W. JONES,

CIVIL ACTION

v.

No. 19-4678

FRANK NAJERA.

CIVIL JUDGMENT

Before the Honorable Gerald J. Pappert,

AND NOW, this 29th day of June, 2023, in accordance with the verdict of the Jury,

IT IS ORDERED that Judgment is hereby entered in favor of the defendant Frank Najera and against plaintiff Martin W. Jones as to the violation of Jones's Fourth Amendment right not to be subjected to an unreasonable search.

BY THE COURT

ATTEST:

<u>/s/Katie Rolon</u>
Katie Rolon
Deputy Clerk to the
Honorable Gerald J. Pappert

Civ 1 (3/18)

FIRST-CLASS MAIL

neopost

CORRECTIONS

PA DEPARTMENT OF INMATE MAIL

Name Martin OM, Jones

sci- Phoenix

Number NN4778

PO Box 33028

St Petersburg FL 33733

Smart Communications/PADOC

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US Courthouse 601 Marketst, Room 2609 Phila, PA. 13410=6=147 grownhillinghillinghillinghilling